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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

JUSTIN GILMORE,)
vs.)
Plaintiff,)
CORNERSTONE CREDIT SERVICES, LLC)
Defendant.)
Case No. 3:16-cv-00214 TMB

SCHEDULING AND PLANNING CONFERENCE REPORT

I. Meeting. In accordance with Rule 26(f), Federal Rules of Civil Procedure, a telephonic meeting was held on October 18, 2016 and was attended by: Brian Heady for the defendant, Cornerstone Credit Services, LLC, and Justin Gilmore, representing himself.

As a result of that meeting, the parties recommend the following:

II. Disclosures. The information required by Fed. R. Civ. P. 26(a)(1):

A. Will be exchanged by the parties on or before November 15, 2016.

B. Preliminary Witness Lists:

1. Will be exchanged by the parties on or before December 15, 2016.

III. Contested Issues of Fact and Law. Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court:

- (1) Whether Cornerstone Credit Services, LLC, violated 15 U.S.C. § 1692e(2) by falsely representing the amount of the alleged debt that Justin Gilmore owed to an underlying provider;
- (2) Whether Cornerstone Credit Services, LLC, violated 15 U.S.C. § 1692e by using false, deceptive and/or misleading representation or means in connection with a collection of the alleged debt that Justin Gilmore owed to an underlying provider;
- (3) Whether Cornerstone Credit Services, LLC, violated 15 U.S.C. § 1692e(10) by using a false, deceptive, and/or misleading representation of means in connection with the collection of the alleged debt that Justin Gilmore owed to an underlying provider and/or to obtain information about Gilmore;
- (4) Whether Cornerstone Credit Services, LLC, violated 15 U.S.C. § 1692g(a)(3) by not stating the right to dispute the underlying debt within 30 days in its initial communication or correspondence with Gilmore;
- (5) Whether Cornerstone Credit Services, LLC, violated 15 U.S.C. § 1692g(a)(4) by not stating the right to have verification/judgment mailed to Justin Gilmore in its initial correspondence or communication; and
- (6) Whether Justin Gilmore suffered any damages of any kind as a result of the allegations alleged in the complaint.

IV Discovery Plan

A. The parties expect that discovery will be needed on the six Contested Issues of Fact

and Law as stated above.

B. The parties dispute whether there are issues about preserving discovery information and may subsequently address this issue.

- C. Any electronically stored information shall be placed on a CD.
- D. There are no claims of privilege or of protection of trial preparation materials.
- E. There are no expert witnesses.
- F. Supplementation of disclosures and discovery responses under Fed. R. Civ. P.

26(e).

As new information is required by not later than 60 days before the close of fact discovery.

G. A final witness list disclosing all lay and expert witnesses whom a party may wish to call at trial will be served and filed 30 days before trial.

H. Time for completing discovery:

- 1. Fact discovery will be completed on or before May 1, 2017.
- 2. All discovery will be completed on or before May 1, 2017.

I. Limitations on discovery.

1. The limitations contained in Fed. R. Civil P. 26(b), 30, and 33 will apply except as indicated below.

2. The maximum number of depositions by each party will not exceed two.

- (a) Depositions will not exceed four hours as to any deponent.
- (b) Depositions will not exceed four hours as to non-party deponents.

(c) Depositions will not exceed four hours at to party deponents.

V. Pretrial Motions

A. There are no preliminary motions as to jurisdiction, venue, arbitration, and/or statutes of limitation.

B. Motions subject to D. Ak. L.R. 16.1(c)(6)-(8) and Fed R. Civ. P. 56(b):

1. Will be served and Filed within the times specified in the applicable rules.
2. Motion to amend pleadings or add parties will be filed not later than two months before the trial.
3. Motions under the discovery rules will be filed no not later than one month before trial.
4. Motions in Limine will be filed not later than two weeks before trial.
5. Dispositive motions (including motions for summary judgment) will be filed not later than on months before trial.

VI Other Provisions:

- A. The parties request a conference with the court before the entry of a scheduling order.
- B. The parties do not consent to trial before a magistrate judge.
- C. The disclosure requirements of Fed. R. Civ. P. 7.1 have been complied with.
- D. Early settlement/alternative dispute resolution.
 1. The parties do not request immediate assistance by way of a settlement conference or alternative dispute resolution.
 2. The parties do wish to consider private mediation or settlement conference with a judicial officer of this court at a later date.

E. The scheduling order will make provisions for pretrial conferences, certification of the case as ready for trial, and a final pretrial order.

VII. Trial

- A. This case is expected to take 2 days to try.
- B. 1, A jury trial has been demanded.
- 2. The right to a jury trial is not disputed.

VII. Report Form

- A. Counsel and the pro se litigant did not experience any problems using this form.
- B. There are no subjects counsel or the pro se litigant would like to see added to this form.

Date: 10/27/2016

s/Brian D. Heady

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Date: 10/31/2016

s/Justin Gilmore

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